

Form 32. Writ of Continuing Garnishment.

Name Bar Number

Address

City, State ZIP

Telephone

vs.)
)
Plaintiff,) WRIT OF CONTINUING
) GARNISHMENT (Wage)
)
)
Defendant.) Civil Number: _____
Garnishee(s))
) Judge: _____

THE STATE OF UTAH TO GARNISHEE:

You are hereby ordered by the Court to hold a portion of Defendant(s)' pension, wages or other income (not to exceed the outstanding amount owed on the judgment or order and court approved costs in this matter, being \$_____) due at the next payday and continuing at each payday thereafter for a period of 120 days from the date this Writ was served upon you or, in the case of multiple garnishments, from the date this garnishment becomes effective, as calculated pursuant to the attached questions, which are called Interrogatories or the attached Affidavit of Garnishee as to Continuing Garnishment. To determine the income available for garnishment at the next (first) payday, you are required to answer the attached Interrogatories and file your answer with the Clerk of the Court within five (5) business days of the date this Writ is served upon you or, in the case of multiple garnishments, within five (5) business days after this Writ becomes effective. For each subsequent payday thereafter until the termination of this Writ, you are required to complete the attached Affidavit as to Continuing Garnishment (copy the attached Affidavit form for completion each payday) and file said Affidavit with the Clerk of the Court within five (5) business days after such payday. The address of the Clerk is: _____. You are also required to send a copy of your initial Interrogatory answers and subsequent Affidavits to the Plaintiff at the following address: _____.

MULTIPLE WRITS OF CONTINUING GARNISHMENT may be served upon you for the same Defendant. Only one Writ of Garnishment (continuing or otherwise), may be in effect and satisfied at one

time. When more than one Writ of Garnishment is served upon you against earnings due to the same Defendant, the Writs shall be satisfied in the order of service on you. If this Writ of Continuing Garnishment is served upon you while a previous Writ is still in effect, you shall respond to this Writ with a statement that you have been served previously with one or more Writs of Garnishment against earnings and you shall specify the date on which all Writs previously served are expected to terminate.

If you fail to answer the Interrogatories or to file subsequent Affidavits as set forth above, the judgment creditor may ask the Court to make you pay the amount you should have withheld.

If you owe or will owe money to the Defendant(s) which are subject to this Writ, you shall immediately mail by first class mail a copy of the Writ and your initial Interrogatory answers, the Notice of Garnishment and Exceptions and two (2) copies of the Request for Hearing to the Defendant(s) at the last known address of the Defendant(s) shown on your records at the time of the service of this Writ. In lieu of mailing, you may hand deliver a copy of these documents to the Defendant(s). In the case of multiple garnishments, this mailing or delivery to Defendant (s) shall occur immediately after this Writ becomes effective. You shall provide notice to the Defendant (s) of amounts attached in subsequent pay periods.

YOU MAY DELIVER to the officer serving this Writ the portion of Defendant(s)' earnings or income to be held at the next payday as shown by your answers. You may, in the alternative, hold the money. If you do not receive a copy of a request for hearing within 20 days of service of your answer to the Interrogatories on the defendant or any other person claiming an interest in the property, you shall pay the money from the next payday to the plaintiff or plaintiff's attorney. If you receive a copy of a request for hearing within the 20 days, you must hold the money and any money held for a subsequent payday until further order of the court. If no request for hearing is filed or if the court has issued an order following a request for hearing, the portion of Defendant(s)' earnings or income held at each subsequent payday as shown by the applicable Affidavit may be sent to Plaintiff, or to Plaintiff's attorney.

YOU SHALL PAY to Defendant(s) the portion of Defendant(s)' earnings or income which are not held by this Writ of Garnishment at the time the same is normally paid to Defendant(s).

ISSUED this _____ day of _____, 20_____.

CLERK OF THE COURT

By: _____
DEPUTY CLERK